

## **REMARKS**

Reconsideration of the present application, as amended, is respectfully requested. Claims 1, 16, 26 and 32 have been amended for clarity and to more particularly point out what the Applicant regards as the invention. Claims 5, 10, 19 and 30 have been cancelled without prejudice. Claims 1-4, 6-9, 11-18, 20-29, 31-42 are currently pending.

### **Claim Rejections under 35 U.S.C. §102(a)**

Examiner rejected claims 1-8, 10-25 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,226,678 to Mattaway et al (hereinafter Mattaway). Applicant respectfully traverses the rejections.

Claims 1 and 16 include the limitation, or a limitation similar thereto, of:

using an Exigen Object Library (EOL) to dynamically match the first type of the first process and the second type of the second process, wherein the first type matches the second type if the first type and the second type have same names and same behavior version numbers...

In contrast, Mattaway discloses utilizing a dynamic link library, not to dynamically match the first process and the second process, but to provide access to the WebPhone (client) configuration information, personal phone directory, and so on. (Mattaway, col. 15, lines 51-54). Indeed, to match the client with the server, Mattaway discloses a database having a client table. (Mattaway, col. 20, lines 4-35). Thus, Mattaway does not teach or suggest using an Exigen Object Library (EOL) to dynamically match the first process and the second process, as claimed.

Since, Mattaway does not teach each and every limitation of claims 1 and 16, Mattaway does not anticipate claims 1 and 16.

Furthermore, since claims 2-4, 6-8, 11-15 depend from and include the limitations of independent claim 1, claims 2-4, 6-8, 11-15 are also not anticipated by Mattaway under 35 U.S.C §102(a). Also, since claims 17-25 depend from and include the limitations of independent claim 16, claims 17-24 are also not anticipated by Mattaway under 35 U.S.C §102(a).

**Claim Rejections under 35 U.S.C. §103(a)**

**Claim 9**

Examiner rejected claim 9 under 35 U.S.C. §103(a) as being unpatentable over Mattaway and further in view of U.S. Patent No. 6,463,036 to Nakamura (hereinafter Nakamura). Applicant respectfully submits that this combination does not teach each and every element of these claims. As discussed above, Mattaway does not teach or suggest using an Exigen Object Library (EOL) to dynamically match the first process and the second process, and Nakamura does not supply this missing element.

Nakamura discloses performing congestion control at a high speed in an asynchronous transfer mode (ATM) communication network. Nakamura does not teach using an Exigen Object Library (EOL) to dynamically match the first process and the second process as claimed.

Since neither Mattaway nor Nakamura teaches using an Exigen Object Library (EOL) to dynamically match the first process and the second process as claimed in independent claim 1, the combination cannot be interpreted to render obvious Applicant's invention as claimed in associated claim 9, which includes each and every limitation of claim 1. Accordingly, Applicant respectfully requests the withdrawal of the rejection over this combination.

### Claims 26-31

Examiner rejected claims 26-31 under 35 U.S.C. §103(a) as being unpatentable over Mattaway and Nakamura. Applicant respectfully submits that this combination does not teach each and every element of these claims.

Claim 26, as amended, recites, “using an Exigen Object Library (EOL) to dynamically match the first process and the second process.”

As discussed earlier, since neither Mattaway nor Nakamura teaches using an Exigen Object Library (EOL) to dynamically match the first process and the second process as claimed, the combination cannot be interpreted to render obvious Applicant’s invention as claimed in independent claim 26.

Furthermore, since claims 27-29 and 31 depend from and include the limitations of independent claim 26, claims 27-29 and 31 are also not obvious over this combination.

### Claims 32-42

Examiner rejected claims 26-31 under 35 U.S.C. §103(a) as being unpatentable over Mattaway and Nakamura. Applicant respectfully submits that this combination does not teach each and every element of these claims.

Claim 32, as amended, recites “asynchronously connecting the first process and the second process using an Exigen Object Library (EOL).” As discussed earlier, Mattaway does not teach or suggest using an Exigen Object Library (EOL) to connect the first process and the second process, and Nakamura does not supply this missing element. Thus, since neither Mattaway nor Nakamura teaches using an Exigen Object Library (EOL) to dynamically match

the first process and the second process as claimed, the combination cannot be interpreted to render obvious Applicant's invention as claimed in independent claim 32.

Furthermore, since claims 33-42 depend from and include the limitations of independent claim 32, claims 33-42 are also not obvious over this combination.

**SUMMARY**

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact John P. Ward at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

M. Portnova

Marina Portnova  
Reg. No. 45,750

Dated: May 16, 2005

Customer No. 08791  
12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(408) 720-8300